

**MINUTES
REGULAR BOARD MEETING
Friday, June 5, 2015
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice-President
Terri Byers-Abston, D.C., Secretary
Rodney Casada, D.C., Member
Michael Seibert, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
M. Keith Poynter, Board General Counsel

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:00 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Hideg, seconded by Dr. Abston and passed 5-0 to approve the minutes of the March 20, 2015 board meeting.

ITEM II: FINANCIAL REPORTS

A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 5-0 to approve the financial reports for March, April and May 2015.

ITEM III: BOARD OFFICE REPORT

The Board reviewed the Board Office Report and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to accept the report and send Dr. Hideg to the FCLB District II 2015 Meeting.

ITEM IV: LEGISLATIVE AND REGULATORY CHANGES

The Board reviewed the efforts made during the 2015 Session regarding HB 223 and SB 116 with Donna Brown, Eric Davis, D.C. and Larry Tinius, D.C. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to file the same language as a bill during the 2016 Legislative Session.

ITEM V: ADMINISTRATIVE CASES 12-032/12-038

The Board reviewed correspondence from the Supreme Court denying the request for discretionary review. This case is now final and closed.

ITEM VI: MOTION TO AMEND AGENDA-PASTORAL MEDICAL ASSOC.

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to amend the agenda to discuss the proposed joint statement to the licensees from the Pastoral Medical Association and the KBCE. A motion was made by Dr. Hideg, seconded by Dr. Casada and passed 5-0 to accept the proposed language and post the language on the Board's website. A motion was then made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to resume the agenda.

ITEM VII: ADMINISTRATIVE CASE 13-024

The Board reviewed information concerning this case and heard from Board Counsel. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to dismiss this case with prejudice. Board Counsel will send a letter of response to opposing counsel and draft language for the website to address that the Board will not review or participate in fee disputes.

ITEM VIII: MOTION TO AMEND AGENDA-UPCOMING LEGISLATION

A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to amend the agenda to discuss the motion to file legislation in the upcoming session. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 upon consideration of additional information, to rescind the previous motion to file legislation in the 2016 Legislative Session. The public attendees were still in town and returned to the meeting where they were informed of the concerns and change in motion by the Board. A motion was then made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to resume the agenda.

ITEM IX: ADMINISTRATIVE CASE 13-028

Upon review of the information presented, a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to accept the Findings of Fact, Conclusions of Law and Recommended Order and issue the Final Order.

ITEM X: ADMINISTRATIVE CASE 14-006

This Board heard from Board Counsel regarding the request from opposing counsel to set this matter for mediation. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to set this case for mediation with a mediator approved by both parties and costs incurred by the licensee. Dr. Casada abstained.

ITEM XI: ADMINISTRATIVE CASE 14-011

This case is pending receipt of information regarding criminal charges.

ITEM XII: ADMINISTRATIVE CASE 14-020

The Board reviewed this case a motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to refrain from issuing any offers for settlement until all information requested has been received. Dr. Hideg abstained.

ITEM XIII: ADMINISTRATIVE CASE 14-027

This case is continued pending outcome of a criminal case.

ITEM XIV: ADMINISTRATIVE CASE 14-029

The Board reviewed information concerning this case and heard from Board Counsel. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss this case with prejudice. Board Counsel will send a letter of response to opposing counsel.

ITEM XV: ADMINISTRATIVE CASE 14-030

The licensee's response was considered and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to dismiss this case. Dr. Hideg abstained. Board Counsel will send a letter of response and dismissal.

ITEM XVI: ADMINISTRATIVE CASE 15-002

Upon review of all information received for this case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer a settlement agreement at the terms discussed which if accepted will close the case. It was also requested that the Field Coordinator conduct a site visit.

ITEM XVII: ADMINISTRATIVE CASE 15-003

The Board reviewed the additional information which was received. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to draft a settlement agreement to be reviewed at the following meeting.

ITEM XVIII: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 11-009

This case is continued with a hearing date set for June 17, 2015.

ITEM XIX: ADMINISTRATIVE CASE 15-005

This case is continued.

ITEM XX: ADMINISTRATIVE CASE 15-006

Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to send a letter to the licensee requesting additional information, including new forms which the licensee stated he would be using.

ITEM XXI: ADMINISTRATIVE CASE 15-007

This case is continued.

ITEM XXII: ADMINISTRATIVE CASE 15-008

Upon review of the complaint and documentation outlining the licensee's non-response, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to offer a settlement agreement for violations of 312.150(1)(i) and 201 KAR 21:051 Section 1(2)(b). In addition to sending the correspondence by certified mail, it will also be hand-delivered.

ITEM XXIII: MALPRACTICE CASE 15M-001

The Board reviewed documentation and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXIV: INITIAL LICENSE APPLICATION
RE: J. THACKER, D.C.

The Board reviewed the initial application and supporting documents from Dr. Thacker. A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to issue Dr. Thacker's license.

ITEM XXV: INITIAL LICENSE APPLICATION
RE: J. NICHOLS, D.C.

The Board reviewed the initial application and supporting documents from Dr. Nichols. A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to issue Dr. Nichols' license.

ITEM XXVI: LICENSE ACTIVATION
RE: S. NEELEY, D.C.

The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to activate Dr. Neeley's license once all education is received at the board office.

ITEM XXVII: REVIEW SIGNAGE AND NON-RESPONSE
RE: K. CIEPLY, D.C.

The Board reviewed information and documentation concerning non-compliant signage and non-response of Dr. Cieply. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to offer a settlement agreement at the terms discussed for violations of 201 KAR 21:051 Section 1(2)(b) and KRS 312.145(3). If the terms are accepted and the agreed order signed, this case shall be closed.

ITEM XXVIII: REVIEW PEER REVIEW HARDSHIP REQUEST
RE: F. HIDEG, D.C.

The Board reviewed a medical hardship request from Dr. Hideg concerning his peer review certification continuing education hours. A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 4-0 to approve his request for hardship this year. Dr. Hideg recused and abstained.

ITEM XXIX: FIELD COORDINATOR REPORT

The Field Coordinator reported that he is continuing to do site visits and investigations as necessary. Dr. Hideg will be doing a visit to Dr. Hanlon in response to an allegation that Dr. Hanlon was recently practicing during his suspension.

ITEM XXX: ADVERTISEMENTS TO REVIEW

The Board reviewed advertisements which had been submitted to the Board and also obtained from other sources. A motion was made by Dr. Abston, seconded by Dr. Hideg and passed 4-0 to file an administrative complaint against Dr. Sears for violation of his Agreed Order terms. Dr. Casada abstained.

ITEM XXXI: LICENSE ACTIVATION
RE: W. HINSON, D.C.

The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to activate Dr. Hinson's license once payment and a clear license verification are received at the board office.

ITEM XXXII: INFORMATION TO CONSIDER FROM KURT ADAMS, D.C.

The Board reviewed information from Dr. Adams and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to initiate a complaint against the licensee and review his response and the next meeting.

ITEM XXXIII: LICENSE ACTIVATION
RE: S. WHALEY, D.C.

The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to activate Dr. Whaley's license once payment and a clear license ver-

ification are received at the board office.

ITEM XXXIV: LICENSE ACTIVATION
 RE: B. JACKSON, D.C.

The Board reviewed the activation application and supporting documentation. It was found that documentation could not be verified. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to request official documentation from the clerk's office to be considered at the following meeting.

ITEM XXXV: TRAVEL AND PER DIEM

A motion was made by Dr. Hideg, seconded by Dr. Abston and passed 5-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XXXVI: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Hideg, seconded by Dr. Abston and passed 5-0, the meeting was adjourned.

Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President